IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 493 of 2005

Between:

1. G. Venkat Ramana, S/o. G. Krishnaiah,
R/o. Mudireddypalli Village, Mandal: Balanagar, Mahaboobnagar District.
2. G. Vinodh Kumar, S/o. G. Krishnaiah,
R/o. Mudireddypalli Village, Mandal: Balanagar, Mahaboobnagar District.
3. S. Venkat Reddy, S/o. Narayana Reddy,
R/o. Mudireddypalli Village, Mandal: Balanagar, Mahaboobnagar District.
4. S. Goverdhan Reddy, S/o. S. Venkat Reddy,
R/o. Mudireddypalli Village, Mandal: Balanagar, Mahaboobnagar District.
5. Rajeshwar Reddy, S/o. S. Venkat Reddy,
R/o. Mudireddypalli Village, Mandal: Balanagar, Mahaboobnagar District.
6. D. Varalaxmi, W/o. D. Narasimha,
R/o. Mudireddypalli Village, Mandal: Balanagar, Mahaboobnagar District.
7. M. Sudarshan, S/o. Chandraiah,
R/o. Mudireddypalli Village, Mandal: Balanagar, Mahaboobnagar District.

..... PETITIONERS

AND

1. The Member Secretary, Andhra Pradesh Pollution Control Board, Sanatnagar, Hyderabad.
2. The Inspector of Factories, Mahaboobnagar District at Mahaboobnagar, Andhra Pradesh.
3. The Joint Director, Industries Department,
Mahaboobnagar District, Mahaboobnagar, Andhra Pradesh.
4. The Executive Officer/Panchayat Secretary, Mudireddipally Village, Balanagar Mandal, Mahaboobnagar District, Andhra Pradesh.

5. The Sarpanch, Gram Panchayat, Mudireddy Village,
Balanagar Mandal, Mahaboobnagar District, Andhra Pradesh.
6. The Managing Director, M/s. A.P.S.M. Alloys Private Limited,
Sy.No. 641, Mudireddypally, Gram Panchayat, Rajapur Post,
Balanagar Mandal, Mahaboobnagar District, Andhra Pradesh.
7. The Collector, Mahaboobnagar District,
Mahaboobnagar, Andhra Pradesh.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly Writ of Prohibition from constructing the factory and starting the production by the sixth Respondent in the land bearing Sy.No. 641 and 643 admeasuring about 15 acres of land, situated at Mudireddipally Village, Balanagar Mandal, Mahaboobnagar District.

Counsel for the Petitioner: Mr. K.LAXMAIAH

Counsel for Respondent No.1: Mr. S.V.BHATT

SC for A.P.P.C.B.

Counsel for Respondents 2,3 & 7: G.P. for Industries.

Counsel for Respondents 4 & 5: Smt.Jyothi Eswar Gogineni

Counsel for Respondent No.6: None appeared.

The Court at the admission stage made the following :

ORAL ORDER:

(per Honourable Sri Devinder Gupta, the Chief Justice)

Petitioners want stay of the proceedings at the stage of establishment of an industry, which cannot be done, except, by directing the first respondent to treat the writ petition itself as representation and then consider the same and pass appropriate orders thereupon within a period of two months from the date of the receipt of the order from this Court. The Writ Petition, accordingly, stands disposed of.

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DEVINDER GUPTA, C.J.

28.1.2005.

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M.NARAYANA REDDY, J.

VR.

To

1.The Member Secretary, Andhra Pradesh Pollution Control Board, Sanatnagar, Hyderabad.

2. The Inspector of Factories, Mahaboobnagar District at Mahaboobnagar, Andhra Pradesh.
3. The Joint Director, Industries Department,
Mahaboobnagar District, Mahaboobnagar, Andhra Pradesh.
4. The Executive Officer/Panchayat Secretary, Mudireddipally Village, Balanagar Mandal, Mahaboobnagar District, Andhra Pradesh.
5. The Sarpanch, Gram Panchayat, Mudireddy Village,
Balanagar Mandal, Mahaboobnagar District, Andhra Pradesh.
6. Two CCs to Government Pleader for Industries, High Court Buildings, Hyderabad (OUT).

7. Two CD copies.